

A BILL

FOR AN ACT TO PROVIDE FOR SECURITY FOR COSTS IN CRIMINAL CASES BEFORE JUSTICES OF THE PEACE AND THE COLLECTION OF JUSTICES' AND CONSTABLES' COSTS.

CHAPTER PROVIDING FOR PAYMENT OF JUSTICES' AND CONSTABLES' COSTS IN CRIMINAL CASES.

Be it enacted by the General Assembly of the State of Iowa :

SECTION 1. That in criminal actions within the jurisdiction of a justice of the peace, the
2 justice may require the complaining witness to give a bond with sufficient surety for the
3 costs or deposit money therefor, and upon a failure to convict judgment shall be rendered
4 against the complaining witness and surety for costs, from which judgment for costs no ap-
5 peal can be taken.

SEC. 2. That in preliminary examinations for offenses in which the punishment does not
2 or may not exceed ten years in the penitentiary, the magistrate may require the complaining
3 witness to give a bond with sufficient surety or deposit money for the costs, and if the de-
4 fendant is not held to appear judgment shall be rendered against the complaining witness
5 and his surety for the costs of the examination and no appeal shall be allowed from said
6 judgment.

SEC. 3. That section 3806, Code of Iowa, is hereby repealed and the following enacted in
2 lieu thereof : The fees mentioned in the two preceding sections shall be audited and paid
3 out of the county treasury only where the same are incurred in a preliminary examination
4 when the crime charged is or may be punishable by imprisonment for ten or more years in
5 the penitentiary and when the costs in said case so punishable cannot be made from the
6 party liable to pay the same the facts to be certified by the justice of the peace.

SEC. 4. That sections 4254 and 4691 of the Code of 1873, and all other acts and parts of
2 acts in conflict herewith are hereby repealed.